

APR 08 2002

DECLARATION AND POWER OF ATTORNEYIn Re Application: **Steven M. Blair and Larry L. Campbell**

Attorney's Docket No. IPG1 (12706.000009)

As a below named inventor I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **OPTICAL COMMUNICATION SYSTEM USING COHERENCE MULTIPLEXING IN AN OPTICAL DWDM NETWORK**, the specification of which:

is attached hereto.
 was filed on January 7, 2002 as Application No. 10/041,682.
 was amended on .

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I do not know and do not believe that the same was ever known or used by others in the United States of America before our invention thereof, or patented or described in any printed publication in any country before our invention thereof or more than one year prior to the date of this application. I further state that the invention was not in public use or on sale in the United States of America more than one year prior to the date of this application. *I understand that I have a duty of candor and good faith toward the Patent and Trademark Office*, and I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of the foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate disclosing subject matter in common with the above-identified specification and having a filing date before that of the application on which priority is claimed:

<u>Application No.</u>	<u>Country</u>	<u>Filing Date</u>	<u>Priority Claimed Under 35 USC §119</u>
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

<u>Application No.</u>	<u>Filing Date</u>
<u>60/260,044</u>	<u>January 5, 2001</u>

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter disclosed and claimed in the present application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application No.</u>	<u>Filing Date</u>	<u>Status of United States Application:</u>
_____	_____	<input type="checkbox"/> Patented, <input type="checkbox"/> Pending, <input type="checkbox"/> Abandoned

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statement were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issuing thereon.

POWER OF ATTORNEY. I hereby appoint Troutman Sanders LLP, having a Customer Number of 006980, and the attorneys and agents that are associated with this Customer Number from time to time, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Send correspondence to: **TROUTMAN SANDERS, LLP**
Attention: Patent Docketing Clerk - 46th
600 Peachtree Street, N.E., Suite 5200
Atlanta, Georgia 30308-2216

Direct telephone calls at (404) 885-3632 to:
R. Stevan Coursey, Reg. No.: 39,949

Full name of first inventor: **Steven M. Blair**

Citizenship: United States

Inventor's signature

Date:

4-2-02

Residence and Post Office Address: 3434 East 7590 South, Salt Lake City, Utah 84121

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I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a)-(d) of the foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate disclosing subject matter in common with the above-identified specification and having a filing date before that of the application on which priority is claimed:

<u>Application No.</u>	<u>Country</u>	<u>Filing Date</u>	<u>Priority Claimed Under 35 USC §119</u>
_____	_____	_____	Yes No

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below:

<u>Application Serial No.</u>	<u>Filing Date</u>
<u>60/260,044</u>	<u>January 5, 2001</u>

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Atlanta, Georgia 30308-2216

Direct telephone calls at (404) 885-3632 to:
R. Stevan Coursey, Reg. No.: 39,949

Full name of second inventor: Larry L. Campbell

Citizenship: United States

Inventor's signature

Date:

Residence and Post Office Address: 1599 Devonshire Drive, Salt Lake City, Utah 84018